



SENATOR JOHN WHITMIRE

Senate District 15 • Fall 2010 Capitol Report



Dear Friends and Neighbors,

I am pleased to provide this update on some of the important issues impacting the State of Texas and the residents of Senate District 15.

During the interim, Senate and House Committees are busy holding interim hearings on a wide variety of issues to be considered by the 82nd Legislature which convenes in January, 2011.

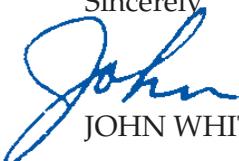
I am pleased to continue to serve as Chair of the Senate Criminal Justice Committee and as a member of the Finance Committee, Administration Committee, and Government Organization Committee. In addition to the interim committee work, I am serving on the Texas Sunset Commission which is reviewing a number of critical state agencies.

The next legislative session will undoubtedly be one of the busiest in history. Not only will we be faced with the challenge of balancing our state budget in these tough economic times, we will also be faced with drawing new boundaries for Congressional, Senate, and House districts based on the 2010 census count.

I hope this newsletter provides useful information on the work going on in the Texas Legislature as well as a look ahead at what we are working on in preparation for next session.

It has been my privilege to represent Senate District 15 for the past 27 years and I am honored to continue to work on your behalf in Austin and in our community.

Sincerely


JOHN WHITMIRE

IN OUR COMMUNITY

PROTECTING TEXAS CONSUMERS AT THE GAS PUMP



Senator Whitmire and Agriculture Commissioner Todd Staples promote Senator Whitmire's new fuel quality law at a Houston gas station.

Prompted by numerous complaints from consumers, Senator Whitmire passed legislation to create a statewide fuel quality program to target stations that sell contaminated fuel. Under the new law, the Texas Department of Agriculture can now regulate fuel quality and enact tough penalties for people who continue to sell contaminated or watered-down fuel.

To file a complaint about a fuel pump or fuel quality, contact the Texas Department of Agriculture by calling 1-800-TELL-TDA (1-800-835-5832) or by emailing Regulatory@TexasAgriculture.gov. Consumers can also submit a fuel quality complaint online at www.texasagriculture.gov.

"Prior to this new law, no state agency had the authority to regulate and enforce fuel quality standards in Texas," stated Whitmire. "When Texas drivers go to fill up their cars at the pump, they have a right to know that the fuel they pay for is of the highest quality and that it won't result in thousands of dollars of damage to their automobiles."

ELECTION DAY 2010

One of the most fundamental rights in a democracy is the right to vote. Texans will again be able to choose their elected officials on November 2, 2010. Offices up for election include Governor, Lt. Governor, Attorney General, Senate District 15, all state representatives, and many local races.

Register to vote by requesting an application from the Harris County Tax Office by calling 713-368-VOTE (713-368-8683) or by stopping by any of the 15 Harris County area tax offices. Applications can be downloaded from Harris County at www.hc-tax.net/voter/acquirevoterapp.aspx.

Voters can cast their vote prior to election day at several early voting locations. If you wait until election day, you must vote at your precinct voting poll. Precincts are listed on voter registration cards or you can find early voting locations and precinct polling locations by calling 713-755-6965.

Important Election Dates

October 4, 2010

Last Day to Register to Vote in November Election

October 18-29, 2010

Early Voting

October 26, 2010

Last Day to Apply for Ballot by Mail

November 2, 2010

General Election

SENATE DISTRICT 15 GUBERNATORIAL APPOINTEES

Mildred Janie Baszile

State Board of Educator Certification

The Honorable Marc C. Carter

*Judge, 228th Judicial District
Harris County*

The Honorable Cathleen Cochran

Justice, Court of Criminal Appeals

Dely De Guia Cruz

*Texas Board of Occupational
Therapy Examiners*

Janiece Longoria

*University of Texas System
Board of Regents*

Erma Palmer

Texas Skill Standards Board

Imogen "Immy" Papadopoulos

Family and Protective Services Council

Denise V. Pratt

*Texas State Board of Social
Worker Examiners*

Randall Reichle O.D.

Texas Optometry Board

Leslie P. Smith

*Texas State Incentive Program
Advisory Committee*

Jennifer Taylor

*Continuing Advisory Committee for
Special Education*

Lora Trainer Taylor

*Texas Council for Developmental
Disabilities*

Jeffrey Morgan Trucksess

Texas Bioenergy Policy Council

Shewanda Williams

*Continuing Advisory Committee for
Special Education*

CRIMINAL JUSTICE & PUBLIC SAFETY

As Chairman of the Senate Criminal Justice Committee, Senator Whitmire is dedicated to reforming and improving our adult and juvenile criminal justice systems and strengthening public safety.

“With the success of the reforms enacted in the 2007 and 2009 legislative sessions, I look forward to working with my colleagues to continue to fund and expand our diversion programs in both the adult and juvenile criminal justice systems in Texas,” stated Chairman Whitmire.



Senator Whitmire addresses a witness during an interim hearing of the Senate Criminal Justice Committee.

SUCCESSSES IN THE ADULT SYSTEM

In January 2007, faced with a potential 17,000 prison bed shortage, many state leaders were calling for the need to build at least three additional prisons.

Given that Texas already operated one of the largest prison systems in the world, Senator Whitmire led the movement to fund the largest expansion of treatment and rehabilitation programs in decades.

Now, just four years later, judges have alternatives to incarceration, more nonviolent offenders are receiving treatment for their addictions, and the State of Texas has ample bed space to lock up violent and repeat offenders including more than 5,000 in excess capacity, if needed.

“I am proud our accomplishments have made Texas the model when other states look to reform their criminal justice system,” stated Senator Whitmire. “Now other states have the roadmap on how to be tough, but smart on crime.”

JUVENILE JUSTICE SYSTEM

In 2007, when scandal hit the Texas Youth Commission (TYC), Texas incarcerated more than 4,700 juvenile offenders in institutions, halfway houses, and contracted care.

In 2009, Senator Whitmire partnered with local juvenile probation departments across Texas to secure additional funding to allow judges and probation departments to keep nonviolent juvenile offenders in programs and facilities in the community.

By diverting nonviolent offenders from TYC, the State of Texas was able to close the older, more remote TYC facilities; and juveniles now have greater access to community-based comprehensive education and treatment programs already successfully run by local juvenile probation departments.

With a renewed attitude and commitment to treating and rehabilitating our juvenile offenders rather than simply locking them up in prison, Texas now confines less than 1,600 juveniles in TYC institutions.

“As we head into the next legislative session, I will continue to look for ways to further improve our juvenile justice system,” commented Senator Whitmire. “Our resources are better spent, our nonviolent juvenile offenders are receiving the services they need, and we are slowing the flow of our troubled youth into TYC and eventually the adult system.”



Senator Whitmire receives the Legislator of the Year award from the North Texas Crime Commission.

CRIMINAL JUSTICE AT A GLANCE

154,463	Inmates in the Adult Prison System	7,149	Parole Revocations
71,382	Inmates in County Jails	46,429	Inmates with Mental Illness History
12,018	Women in Texas Prisons	10th	Average Grade Level of Adult Inmates
218	Babies Born to Female Inmates (2009)	78,887	Inmates Receiving Education Services
248,361	Felony Probationers in Texas	319	Inmates on Death Row
175,160	Misdemeanor Probationers in Texas	1,591	Texas Youth Commission Population
26,179	Felony Probation Revocations	33,887	Juveniles on Probation

PREPARING FOR THE 82ND LEGISLATIVE SESSION

During the interim between legislative sessions, Senator Whitmire and his colleagues are busy holding hearings on a wide range of important issues to be considered during the 82nd Legislative Session which begins in January, 2011. Each committee will present a written report to the Legislature including its findings and recommendations. The following is a list of some of the key interim charges.



Criminal Justice

- examine DWI laws and make recommendations to prevent and deter driving under the influence
- review the current sex offender registry system
- study the detention of juvenile offenders including the conditions of confinement and quality of education and services received
- make recommendations to improve the accuracy and timeliness of crime labs
- consider the impact of school disciplinary laws



Education

- study the performance and accountability of charter schools
- review teacher compensation, evaluations, development, certification, and training
- monitor the effectiveness of special education programs
- examine the cost drivers in education including state mandates on school districts



Finance

- review and make recommendations on existing and future public debt at all levels of government
- study the impact of recent hurricanes and review the effectiveness of the distribution system in the event of future disasters
- identify and evaluate potential improvements to the property tax system
- review the effect that business tax credits have on economic development



Health and Human Services

- monitor the implications and costs of federal health care legislation on Texas
- study the current and long-range need for physicians, nurses, dentists and other health care professionals
- explore ways to support the needs of aging Texans
- study the state's ability to respond to the H1N1 influenza pandemic



Business and Commerce

- study options for reducing the demand for electricity
- consider benefits and costs of alternative energy sources
- review the Texas Unemployment Compensation Insurance system
- analyze career-focused education and workforce training programs



State Affairs

- study ways to improve the efficiency and accuracy of voter registration rolls
- review the adequacy of workers' compensation benefits
- evaluate the Public Information Act and Open Meetings Act to ensure government continues to operate openly and transparently
- examine best practices for increasing the affordability and availability of health insurance



Natural Resources

- review the participation of state agencies in working to comply with federal clean air standards
- monitor the use of the Texas Emissions Reduction Plan funds to reduce emissions
- examine whether the state should identify and evaluate cumulative effects on public health and the environment due to air toxics and emissions proposed in applications for new or renewed air permits



Transportation & Homeland Security

- study transportation funding including prioritization of existing revenues and alternative transportation funding concepts
- examine the 100 most congested roadways and determine if alternative congestion relief modes have been identified
- review the Driver Responsibility Program and the impact on unlicensed and uninsured drivers
- make recommendations to inform Texans about best practices for hurricane preparation and response
- recommend improvements to homeland security
- examine the implications of Comprehensive Development Agreements (CDAs) and whether they should be reauthorized



Higher Education

- study the most cost-effective funding of financial aid
- review community college service areas to ensure needs are being met
- examine cost drivers in higher education
- study the current accountability system including student progress, faculty workload, and academic advising
- monitor changes to the top ten percent law and efforts to create additional Tier 1 universities in Texas.

SIGNIFICANT CHALLENGES AHEAD

While every legislative session has its unique set of challenges, the 82nd Legislature will be faced with a number of especially difficult issues.

This session, the Legislature will again be considering proposals on voter identification, transportation, criminal justice and public safety, border security, school finance, health and human services, insurance, immigration, and a host of other policy areas.

While each of the above issues will receive a great deal of our attention, the vast majority of the 5-month session will be spent tackling two issues legislators are constitutionally required to address: balancing our state budget and redrawing congressional, state senate and house, and State Board of Education (SBOE) district boundaries. In addition, legislators must consider the continuation and structure of some of our largest state agencies up for Sunset review.



Senator Whitmire speaks at a rally in support of funding for mental health services. Photo courtesy of Polly Ross Hughes, Media Type LLC.

STATE BUDGET

As a member of the Senate Finance Committee, Senator Whitmire and his colleagues spend long hours and days crafting our state budget.

Due to a lagging economy and lower-than-projected revenue from the state's business tax, Texas is faced with a potential \$18 billion budget shortfall for the upcoming biennium. Even with an estimated \$10 billion in the State's Rainy Day Fund, the 2012-13 budget will be one of the most challenging in decades.

In preparation for the tough budget times ahead, state agencies were already asked to make a 5-percent reduction in their current 2-year budget. In addition to the cuts to current budgets, agencies were asked to submit a budget request for the next biennium that reflects an additional 10-percent cut to their current appropriation level.

"Having served on Senate Finance for the past decade, I am painfully aware of the vast needs in our state," Whitmire stated. "To expect our agencies to make such draconian cuts when many of our programs and services are already underfunded, is

something I will not take lightly when we convene in January."

REDISTRICTING

Every ten years, following the U.S. Census count, state legislatures are required to redraw boundaries for their congressional and state legislative districts. In Texas, we will also redraw our SBOE districts.

Given the overwhelming population growth in Texas over the past decade, Texas will gain three to four additional congressional seats.

Since the number of senate, house and SBOE districts is fixed by law, the number of districts will not change, but the ideal population of the districts will increase. In 2000, the ideal senate district population was 672,639. In 2010, the ideal population is projected to be 810,000. Similar growth will be reflected in house and SBOE districts.

"Redistricting is certainly the most political task the Legislature is required to do," Whitmire said. "I will work with my colleagues to ensure that the redistricting maps are drawn fairly and with the best interest of the communities in mind."

SUNSET REVIEWS

The Texas Legislature created the Sunset Advisory Commission in 1977 to identify and eliminate waste, duplication, and inefficiency in government agencies.

This year, Senator Whitmire was again appointed to a 4-year term on the Sunset Advisory Commission which is comprised of five senators, five state representatives and two public members appointed by the Lieutenant Governor and Speaker.

Sunset is currently holding hearings on the policies and programs at 28 entities including the following agencies: Commission on Environmental Quality, Housing and Community Affairs, Office of Injured Employee Counsel, Department of Insurance, Juvenile Probation Commission, Public Utility Commission, Department of Transportation, Division of Workers' Compensation, and the Youth Commission.

Based on the work of the Sunset staff and the input received at the hearings from both the agencies and the public, legislation will be drafted on each agency under review to either abolish the agency or continue it with recommended restructuring or changes.

"The Sunset process in Texas is one of the most thorough reviews of state government," Whitmire stated. "We have a great deal of work to do with such critical issues as utility regulation, insurance, workers' compensation, juvenile justice, housing, and environmental regulation up for Sunset review."



Senator John Whitmire

Dean of the Texas Senate
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SENATOR JOHN WHITMIRE SENATE DISTRICT 15 FALL 2010 CAPITOL REPORT

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HELPFUL TOLL FREE NUMBERS

- | | |
|--|--|
| Abuse Hotline (children, elderly, disabled) 1-800-252-5400 | Injured Workers..... 1-800-252-7031 |
| Children's Health Insurance (CHIP) ... 1-800-647-6558 | Insurance Information and Assistance. 1-800-252-3439 |
| Child Support Enforcement..... 1-800-252-8014 | Legal Referral..... 1-800-252-9690 |
| Consumer Protection..... 1-800-621-0508 | Medicaid Hotline..... 1-800-252-8263 |
| Consumer Credit Helpline..... 1-800-538-1579 | Runaway Hotline 1-888-580-4357 |
| Crime Victims Compensation 1-800-983-9933 | Student Financial Aid..... 1-877-782-7322 |
| Crime Stoppers..... 1-800-252-8477 | Taxpayer Information 1-800-252-5555 |
| Emergency Roadside Assistance..... 1-800-525-5555 | Voter Registration/Elections..... 1-800-252-8683 |
| Governor's Citizen Assistance Hotline. 1-800-843-5789 | Youth Hotline 1-800-210-2278 |